



EXECUTIVE CHAMBERS

HONOLULU

BENJAMIN J. CAYETANO
GOVERNOR

March 19, 1998

ADMINISTRATIVE DIRECTIVE NO. 98-02

TO: All Department and Agency Heads

SUBJECT: Facility Access

This directive supersedes Executive Memorandum 92-02.

New Construction and Alteration of State Buildings and Facilities

All new construction and alterations of buildings and facilities by the State, or on behalf of the State, shall be fully accessible to and usable by people with disabilities. Full access to and usable by people with disabilities shall mean conformance with the design requirements set forth in the Americans with Disabilities Act Accessibility Guidelines (ADAAG), as adopted and amended by the State of Hawaii Architectural Access Committee.

To implement the requirements for new construction and alterations, the State of Hawaii shall adhere to the legal requirements of §103-50 and §103-50.5, Hawaii Revised Statutes (HRS) and corresponding administrative rules, which provides for the review of state and county construction projects by the Commission on Persons with Disabilities and the issuance of variances by the Architectural Access Committee.

Each department or agency overseeing construction projects shall appoint a representative to serve as its liaison with the Commission on Persons with Disabilities for all construction by or on behalf of the department or agency. The representative shall ensure that all current facility construction documents and all master plans for development are submitted to the Commission for review and recommendations to ensure that accessibility provisions are incorporated at conceptual, schematic, and final stages of the project development.

Existing State Buildings and Facilities

Programs and activities of State agencies occupying State office space/buildings not under construction or alteration but existing prior to the enactment of the Americans with Disabilities Act (ADA), shall when viewed in their entirety, be accessible to all persons. This will be achieved through the upgrading of all buildings serving the public to meet minimum facility requirements for program access, or shall be achieved programmatically by the user agency.

The Commission on Persons with Disabilities and the Department of Accounting and General Services shall establish policies and procedures for existing office space which shall identify minimum requirements for all existing facilities. Each Department shall develop a transition plan, consistent with the requirements of the ADA, to upgrade existing facilities to the minimum requirements for program access.

Private Facilities Leased by the State of Hawaii

Programs and activities of State agencies occupying leased office space/buildings shall, when viewed in their entirety, be accessible to all persons. This will be achieved through the leasing of a building which meets minimum facility requirements for program access, or achieved programmatically by the user agency.

The leases of privately-owned facilities which are leased by the State of Hawaii for the operation of programs and services shall be executed so as to ensure program access. The Department of Accounting and General Services shall establish policies and procedures for leasing office space which shall set forth minimum requirements prior to entering into a lease. Other departments or agencies which lease space independent of the Department of Accounting and General Services shall follow criteria which equals or exceeds the requirements set forth by the Department of Accounting and General Services.

State-Owned Facilities Leased to Private Entities

When the State is the lessor of a facility or site, the department or agency responsible for the facility or site shall negotiate with the lessee the responsibilities for compliance with the Americans with Disabilities Act, as it applies to the facility or site. Those responsibilities shall be specified in the lease document.



BENJAMIN J. CAYETANO

(Corrected: 4/20/98)